

### REMARKS

Claims 18 to 32 are now pending. Claims 1 to 17 have been canceled. The addition of new claims 18 to 32 is supported by the Specification, and the underlying International Patent Application and its now translated Annexes. No new matter has been added.

In accordance with 37 C.F.R. § 1.121(b)(3), the Substitute Specification (including the Abstract, but without the claims) contains no new matter. The amendments reflected in the Substitute Specification (including Abstract) are to conform the Specification and Abstract to U.S. Patent and Trademark Office rules or to correct informalities. As required by 37 C.F.R. § 1.121(b)(3)(iii) and § 1.125(b)(2), a Marked Up Version Of The Substitute Specification comparing the Specification of record and the Substitute Specification also accompanies this Amendment. In the Marked Up Version, double-underlining indicates added text and strikeouts indicate deleted text. Approval and entry of the Substitute Specification (including Abstract) is respectfully requested.

Enclosed please find an English translation of the Annexes to the underlying International Patent Application PCT/EP00/01809. The Annexes provide Revised Pages including Specification and Claims – such is reflected in the amendments to the Specification of record and in the new claims presented.

Applicants respectfully request reconsideration of the present application in view of this response.

Claims 1 to 17 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,729,588 to Chin et al. (the “Chin reference”).

Applicants respectfully submit that the rejection against claims 1 to 17 is moot in light of the cancellation of claims 1 to 17. Moreover, Applicants respectfully submit that the Chin reference does not render anticipated new claims 18 to 32.

The Chin reference purportedly concerns achieving integrity of AMA records generated by a switch in the telephone network by generating test calls and then monitoring and then processing the AMA records generated by those switches in the network which handled the test call. Abstract, lines 1-5. The Chin reference further refers to including monitoring including tracking for the AMA records that have been generated for the test calls and then processing those records such that the contents of the fields forming the records are analyzed to determine that the data contained therein is correct. Abstract, lines 5-9.

The Chin reference refers to a system having a call generation element 20, an

information retrieval element 40, and a processing element 50. Col. 3, lines 21-24. Apparently, the system 10 performs the function of tracking records generated for telephone calls and processing the records such that fields forming the records are analyzed to determine if data contained therein is correct. Col. 3, lines 25-28. The Chin reference refers to a step 20, where a test telephone call is generated by a SAGE box or an Ameritech box, the generation of the call creating billing records at step 20 and ultimately yielding expected data usually generated upon the completion of a call regarding the specific details of the telephone call in question. Col. 3, lines 29-37. The Chin reference further states that from the generated call at step 20, a signal is passed through the switching system, or switch, of the systems under test at step 30, where such systems under test may include, among others, switching systems such as the AT&T 4ESS.TM. and AT&T 5ESS.TM.. Col. 3, lines 38-51. The Chin reference then describes that from the switch, or plurality of switches, of the systems under test at step 30, information regarding the telephone call in question is generated at step 30 and retrieved at step 40, where such information is retrieved by copying the information through the use of data trapping, rather than redirecting records from a billing system to a structure for performing analysis. Col. 3, lines 52-58.

The Chin reference does not identically disclose all of the features of any of claims 18 to 32, including at least one test unit linkable to the digital switching exchange and including a first memory unit for storing dedicated communications elements, a device for initiating the establishment of at least one dedicated test-communications connection, a device for producing a connection-related reference data record from corresponding communications elements, and a starting and an ending time of the communications connection, a device for transmitting the connection-related communications elements to the digital switching exchange; the digital switching exchange which functions in response to the received connection-related communications elements to establish the relevant test communications connection; a system evaluator assigned to the at least one test unit and to the digital switching exchange, including a device for comparing contents of the connection-related reference data record to contents of each respective connection-related communications data record belonging thereto, wherein the digital switching exchange has a device for generating a plurality of communications data records for the respective test communications connection,

and the system evaluator has a device for recognizing communications data records which are assigned to any test communications connection, and a comparator compares each of the communications data records that correspond to the respective reference data record.

Accordingly, it is respectfully submitted that all of claims 18 to 32 are allowable for at least the foregoing reasons.

### CONCLUSION

In view of all of the above, it is believed that the rejection of claims 1 to 17 have been rendered moot in light of their cancellation, and that new claims 18 to 32 are allowable. It is therefore respectfully requested that the rejection be withdrawn, and that the present application issue as early as possible.

Applicants hope that submission of the English translation of the Annexes to the International Preliminary Examination Report (attached hereto) of the underlying International Application assists the Examiner in consideration of the present application.

If a telephone interview would assist in furtherance of allowance of the present application, the Examiner is encouraged to contact the undersigned at the number below.

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